

REMARKS

Claims 5-8 are now pending in the above-referenced application and are submitted for the Examiner's reconsideration.

As for the rejection based on section 112, Applicant submits that these claims are readily understandable when they are read in view of the specification, which is unlike what the Examiner has done, since he read them in a vacuum. Accordingly, withdrawal of this rejection is requested.

As for the prior art rejection, Foo discloses a restraint system with a centrally placed acceleration sensor 14 and upfront sensors 17, 19. The sensor signals are individually compared with thresholds which are not time-dependent. Furthermore, Foo fails to teach that the thresholds for the centrally generated signals are changed according to the signals of the upfront sensors. Foo discloses that thresholds are changed according to side impact sensor signals.

Fujita discloses that in response to an ON signal of satellite sensors another threshold variation pattern is used. A time-dependent threshold is not disclosed. It is neither disclosed that the maximum of the upfront sensor signals is used for adapting the thresholds.

Wang discloses that a impact severity measure is a calculated as the maximum value obtained by subtracting predetermined reference value of velocity changes at said remote accelerometer from the calculated velocity changes at said remote accelerometer. This is completely different as compared to determining the maximum of different signals of the upfront sensors. Wang fails to disclose the time-dependence as well.

Applicant asserts that the present invention is new, non-obvious, and useful. Reconsideration and allowance of the claims are requested.

Respectfully submitted,

KENYON & KENYON LLP

Dated: 11/21/04

By: Gerard A. Messina
Reg. No. 35,952

One Broadway
New York, NY 10004
(212) 425-7200